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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,321	01/31/2001	Greg Arnold	PALM-3564.US.P	9217

7590 09/11/2003  
WAGNER, MURABITO & HAO LLP  
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San Jose, CA 95113

EXAMINER

CHOW, MING

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 09/11/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/775,321

Applicant(s)

ARNOLD ET AL.

Examiner

Ming Chow

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 January 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 1, 21 recite the limitation "the time duration". There is insufficient antecedent basis for this limitation in the claim.
2. Claim 11 recites the limitation "the date book program" in claim 8. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002

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do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1, 2, 5, 7-9, 12, 14-16, 18, 20-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Schuster et al (US: 6584490).

For claims 1, 2, 5, 8, 9, 12, 15, 16, 18, 21, 22, regarding “receiving entry.....ending time”, Schuster et al teach on column 26 line 7-9 appointment book (claimed “electronic calendar program” entries (reads on “receiving entry”). Schuster et al teach on Fig. 13 the appointment has a starting and an ending time.

Regarding “receiving a.....palmtop computer”, Schuster et al teach on column 23 line 30-36 selecting an office number, or a cellular phone number, or a pager number for forwarding a call based on the scheduled time (claimed “time duration of the appointment”).

Regarding “sending a.....ending time”, Schuster et al teach on column 8 line 30-38 downloading the profile (claimed “sending a message”) to the voice communication device (claimed “telephone call server”) to take calls as directed the user.

Regarding claims 7, 14, 20, Schuster et al teach on column 7 line 31-32 the link (between palmtop computer and telephone call server) is wireless.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 10, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schuster et al as applied to claim 2 above, and in view of Fuller et al (US: 6453164). Schuster et al failed to teach "the telephone.....routing profiles". However, Fuller et al teach on column 69 line 57 to column 70 line 3 selecting a profile for routing calls. It would have been obvious to one skilled at the time the invention was made to modify Schuster et al to have the "the telephone.....routing profiles" as taught by Fuller et al such that the modified system of Schuster et al would be able to support the plurality of routing profiles to the system users.

5. Claims 4, 11, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schuster et al as applied to claim 1 above, and in view of Miner et al (US: 6047053). Schuster et al failed to teach "receiving a.....the destination". However, Miner et al teach on column 41 line 37 to column 42 line 35 the electronic assistant (claimed "palmtop computer") notifies the subscriber of the reminder (claimed "a date book alarm") and the subscriber reviews it (claimed "a response to a date book alarm"; column 41 line 51-54) or reschedules it (claimed "a response to a date book alarm"; column 42 line 7-9) before calls them (reads on claimed "selection of the

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destination”; column 42 line 23-26). It would have been obvious to one skilled at the time the invention was made to modify Schuster et al to have the “receiving a.....the destination” as taught by Miner et al such that the modified system of Schuster et al would be able to support the receiving a response before the selection of the destination to the system users.

6. Claims 6, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schuster et al as applied to claim 1 above, and in view of Chow et al (US: 6606505). Schuster et al failed to teach “the message comprises an HTML message”. However, Chow et al teach on column 71 line 33-36 web page (claimed “HTML”) includes phone numbers for calls to be forwarded. It would have been obvious to one skilled at the time the invention was made to modify Schuster et al to have the “the message comprises an HTML message” as taught by Chow et al such that the modified system of Schuster et al would be able to support the HTML message to the system users.

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Chow et al (US: 6591115) teach wireless centrex call hold.

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8. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (703) 305-4817. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (703) 306-0377. Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

**Washington, D.C. 20231**

**Or faxed to TC2600's Customer Service FAX Number 703-872-9314.**

Patent Examiner

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Ming Chow



**FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600**

